# RETIRED OFFICERS ASSOCIATION BULLETIN

*Published Quarterly For Members*

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## A MESSAGE FROM OUR EXECUTIVE VICE PRESIDENT

"Executive Officer" is a term familiar to all our members who, at one time or another, have gone to the "Exec" for guidance, counsel, or just plain getting "straightened out."

In our Association, the office of Executive Vice President involves duties and responsibilities not dissimilar to those of an "Executive Officer" in the strict military sense. His job, subject to the guiding hand of the President of the Association, is to carry out those policies laid down by the Board of Directors and to formulate other plans and details for the most effective conduct of the Association's primary mission—the greatest practicable assistance to retired officers, their widows and other dependents.

What—some might ask—can the Retired Officers Association do for me and my dependents and what can I do for the Association?

This question can best be answered in the words of the first President of the Association following its reorganization in 1944, Admiral David Foote Sellers, U.S.N., Retired, who stated: "Particularly during the latter part of my service on the active list, the need for an organization of officers on the retired list became more and more apparent. However distinguished may be the record of officers on the active list, when retired, their past accomplishments become mostly a tradition to the oncoming youngsters filling in at the bottom of the lists year after year.

*Captain Franz O. Willenbucher, U. S. Navy, Retired*

"While there is laudable effort on the part of those he has left behind in the active field to be solicitous for his welfare on the retired list, it is natural and proper that their energy should be directed to furthering the mission of his service, which mission, by its very nature, deals almost entirely with the active echelons of the personnel."

It was upon the basis of that vision and wisdom that the aims of the Retired Officers Association were firmly established. It, therefore, is an organization to fill in the hitherto open area between active duty and retired status.

Consequently, our Association provides a focal point to which retired officers may look for information about matters of great pesonal interest and concern to them, which information, as retired officers, does not come to them in official distribution. Also it furnishes a means of placing before the Congress and appropriate agencies of the Federal Government, in a proper manner, the views and desires of retired personnel.

The present aim of the Association is not only the fulfilment of the purpose of its original precept, but to dovelop a program whereby it is possible to enlarge and expand upon the services we now render our members and their dependents in supplying information and assistance and in furnishing answers to the many problems with which we are constantly confronted for solution. This new development is taking, and will continue to take, concrete form in an ever-expanding liaison with official agencies, veterans associations, graduates associations and other such organizations interested in an effective national defense. Specifically, it will be everlastingly to the welfare of retired officers, generally, and consequently to the national defense, that our Association be recognized to represent them and their widows or other survivors before the Veterans Administration. To that end application was made to the Administrator of Veterans Affairs for recognition for that purpose and, in view of his inability to grant our request under the regulations of the Veterans Administration, we are now seeking federal incorporation. This subject is elsewhere treated in this edition of the BULLETIN.

Our desire to serve retired officers and their dependents can only be accomplished through the wholehearted support and cooperation of those whom we serve. Thus, in order to assist to the fullest measure of achievement, every retired

(*See Message, Page 2*)

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RETIRED OFFICERS ASSOCIATION
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1600 TWENTIETH STREET, N. W.
TELEPHONE DEcatur 2022



PRESIDENTS EMERITUS
Colonel A. T. Marix, U.S.M.C., 6616 W. Olympic Boulevard, Los Angeles 36, Calif.
Admiral David F. Sellers, USN, 2216 Wyoming Ave., N.W., Washington, D. C.

PRESIDENT
Vice Admiral Harry G. Hamlet, 6410 Beechwood Drive, Chevy Chase 15, Md. OL. 5966

FIRST VICE PRESIDENT
Maj. Gen. Louis McCarty Little, 3010 "O" St., N.W., MI. 7239

SECOND VICE PRESIDENT
Maj. Gen. Walter C. Baker, Kennedy Warren Apts., CO. 8869

THIRD VICE PRESIDENT
Lieut. Commander Charles W. Cairnes, Ontario Apts., CO. 0800

EXECUTIVE VICE PRESIDENT AND TREASURER
Captain Franz O. Willenbucher, 7103 Overhill Rd., Bethesda, Md., WI. 5730

LEGAL COUNSEL
Captain Franz O. Willenbucher, 1600 20th St., N.W., DE 2022



EDITOR ..... Franz O. Willenbucher
ASSOCIATE EDITOR ..... George M. Bailey

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## GENERAL LEGISLATIVE REPORT

We have recently emerged from the most devastating of all wars, with its attendant aftermath of unsettled and disturbed conditions throughout the length and breath of the land. The peace has not yet been signed.

The Congress has been, and will continue for sometime to be, confronted with legislation of great and far-reaching consequences. This has been time consuming beyond any stretch of the imagination. Naturally, it is beyond the conception of anyone removed from the actual mechanics of the situation to realize its full impact. The major brunt of this tremendous responsibility has rested squarely on the shoulders of the Congress.

Many of these weighty problems, such as Universal Military Training, Reactivation of Selective Service, Enlargement of the Air Force, and Maintenance of Adequate Military Establishments have, as a result of the elaborate hearings required in each instance, imposed upon both the Senate and House Committees on Armed Services, an unparalleled workload.

Understandably, the public interests there involved transcend at all times the interests of retired officers, individually and collectively, for they comprise basic questions for the safety of the country itself. It is simply a case of first things first. Without a solution of these questions, there could be no consideration of individual or collective needs as regards any group or groups.

Coincidently with the above, there was unification of the services and of the committees in Congress by creation of the Committees on Armed Services to replace the former Military and Naval Affairs Committees.

These consolidations, however, will bring ultimate good, in that they will definitely eliminate future discriminations as between individuals and groups.

Unquestionably, the creation, organization and techniques of operation necessary to carry the unification of services into full effect, have delayed the consideration of numerous

*(See LEGISLATIVE REPORT, Page 4)*

## JOINT SERVICE PAY COMMITTEE STUDY

On page 7 of the 3rd Quarter Bulletin—1947, it was announced that the Joint Service Pay Committee of which Vice Admiral Wm. M. Fechteler, USN, was Senior Member, had commenced a study of military pay and retirement in the Armed Services, to include a pension plan to provide life-time payments to officers' widows.

Subsequently, in the feature article on page 1 of the 4th Quarter Bulletin—1947, the scope of activities of the Joint Service Pay Committee was outlined, as was the presentation to the Committee by our Association that widows and minor survivors of personnel retired prior to the effective date of any participating plan with survivor benefits, be included in any plan to provide life-time benefits for the survivors of military personnel, active and retired.

Further, on page 2 in the Convention Number of the Bulletin—1948, it was pointed out that the Secretary of Defense had appointed a civilian Advisory Commission on Armed Services Pay, headed by Mr. Charles R. Hook of Middletown, Ohio, President of the American Rolling Mill Company, to make a thorough study into the question of retirement and pay, with a view to preparing legislative proposals to the Congress, so as to "modernize" existing laws.

At the time of this writing, no definite information is available as to the trend those recommendations might take, nor is it known whether a participating plan with survivor benefits is to be recommended. As previously reported to our members, we have supported and will continue vigorously to support such a plan, that the widows and minor survivors of retired personnel be included. Some evidence that there is opposition to such a plan is indicated. However, if such a plan is to be proposed, this Association will proceed at every opportunity to insist upon the inclusion of widows and dependents of retired personnel in its provisions.

Whether or not survivor benefits are to be contained in legislative proposals being developed by the Hook Commission, the Association is informed that legislative proposals involving drastic revision in pay and retirement laws will have been prepared for presentment to the 81st Congress when it convenes in January 1949. There is a general conviction, with which we agree, that pay and retirement are part of the same problem and cannot, nor should they be, considered separately.

As stated in the preceding article in this issue of the Bulletin, questions concerning retirement and pay benefits may well present grave problems to retired personnel. The Association is conscious of its responsibility to be fully prepared to defend the interests and destinies of retired officers in these repsects in every proper manner when they are considered. *(See also Tax Revision, Page 6)*

## MESSAGE (Continued from Page 1)

officer should be a member of this Association. Every member can help by giving us his views and recommendations for improvements in our efforts in his behalf and by encouraging others to join. These factors will influence better service in a laboratory designed to kill most of the germs that creep into retirement situations and, thus, will make that status a healthier and happier one.

With the knowledge of those instances too numerous to mention where real service to our members is rendered—day after day—it is difficult to keep one's pride and enthusiasm from running wild, but it can be definitely stated that ours is a truly worthwhile work—dedicated to safe-guarding the rights and interests of retired officers, their widows and other dependents. It is a privilege to serve this great group who have, individually and collectively, given so much in service to their country. It is an honor which I approach with energy and humility.

## DISABILITY RETIREMENT STUDY

Furnished our membership in the Extra (May 1948) Edition of the Bulletin was a brief summarization from salient portions of the recent report of the Legal Sub-committee of the House Committee on Armed Services (Elston Committee) on the subject of physical disability retirement of officers of the Army, Navy and Marine Corps.

More comprehensively, that report covers an extensive discussion of the entire physical disability situation among the Services mentioned. That report is hereinafter reviewed in concise form for the information of our members.

Section I of the report—GENERAL—explains that the problems involved in retirement proceedings in the Armed Services, particularly physical disability retirements, have been under consideration by the Committee for a considerable period of time. A combination of circumstances prompted the study, but chiefly among those were serious criticisms of physical retirement procedures in the Army and Navy, both from those who had been denied disability retirement and from the general public, which felt that there had been too much generosity in granting disability retirement. The combined criticisms were segregated into various categories enumerated in our First Quarter Bulletin—1948.

Section II of the report—LEGISLATIVE HISTORY—as implied, deals with the background of retirement procedures of the Army and Navy.

The first retirement act for Regular Army officers was enacted in August 1861, within two weeks of the Battle of Bull Run. This law was necessitated by the fact that practically all field officers of the Army were, at that time, unable to assume active field command by reason of advanced

*(See DISABILITY STUDY, Page 8)*

## WHAT ABOUT THE PANAMA CANAL?

Of deep interest to all military personnel, active and retired, is the maintenance of adequate inter-oceanic communication between the Atlantic and the Pacific to meet present and future requirements of marine commerce and national defense.

The question of the modernization of the Panama Canal, currently being debated, has resurrected the great issue as to what type of canal should be established in the interest of trade and national defense. Two major plans are being considered; (1) a plan for the basic improvement of the present canal by the construction of a terminal lake at the Pacific end; and (2) the old idea of a sea level canal. Both of these plans have their advocates. This issue has been brought into sharp focus by the publication of two authoritative books on the Panama Canal, about which the Stanford University Press has issued the following release:

"Seldom does history repeat itself quite as conveniently as it has in the case of the Panama Canal and Captain Miles P. DuVal of the U. S. Navy. During 1947 Captin DuVal, regarded as the Navy's spokesman in recent Departmental hearings on the future of the Canal, finished the second book in a three-volume series about 'the Big Ditch', published by Stanford University Press. Called AND THE MOUNTAINS WILL MOVE, this book, describing the Canal's construction and problems of its future, was scarcely published when a lively contest developed in governmental circles over plans for modernizing the Canal. Sharp disagreement developed among the experts. Appearing without official Navy backing, but with the consent of the Secretary of the Navy, was Captain DuVal.

"Recent action of the Panamanian National Assembly in denying the U. S. further use of wartime air bases in Panama has given a second fillip to Author DuVal's tryst with Lady Luck, for his first book, CADIZ TO CATHAY, recounts development of the idea for an Atlantic-Pacific water short-cut and the centuries-long controversy over its location. With Panama's ukase on the air bases the ghost of history walks again and the halls of Congress re-echo with cries for a new waterway through Nicaragua. Chagrin with Panama as well as concern for defense and security are seen in demands for this new project, and DuVal's historical series becomes a study of current events. 'The battle of the routes', described by Captain DuVal in CADIZ TO CATHAY, is on again.

"DuVal, in his book AND THE MOUNTAINS WILL MOVE, favors modernization of the present Canal by creating a terminal lake at the Pacific end of the Canal to correspond with Gatun Lake of the Atlantic end. This plan is opposed by the present Canal Zone engineers who want a sea-level canal.

"DuVal was for several years Port Commander of the Canal's Pacific Terminal where, in addition to learning about Canal operations at first hand, he became acquainted with many who had participated in building the Canal, and through this acquaintance learned much of value which he has passed on through his recent books."

## FEDERAL INCORPORATION

Our project for federal incorporation, in order that our Association may become recognized as an organization authorized to represent its members and their widows and survivors in connection with their insurance, pension and other claims and interests before the Veterans Administration, is taking concrete form.

On 4 May 1948, Representative Bradley of California, introduced the bill, H.R. 6431, to incorporate the Retired Officers Association, and on 5 May 1948, Senator McFarland of Arizona, introduced a companion bill, S. 2615. These bills were referred, respectively, to the House Committee on the Judiciary and the Senate Committee on the Judiciary.

The text of these bills is quoted as follows:

A BILL

To incorporate the Retired Officers Association.

**Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,** That the following persons, to wit: [Ed. Note: Here is included the names of the directors] constituting the board of directors; and such persons who are members of the Retired Officers Association and their successors are hereby declared to be a body corporate by the name Retired Officers Association (heretofore incorporated under the laws of the District of Columbia as the Retired Officers Association, Incorporated, on May 5, 1944, and hereinafter referred to as the

*(See INCORPORATION, Page 7)*

## A WORD OF APPRECIATION TO OUR LIFE MEMBERS

Life Members of our Association are making a great contribution to its welfare and progress.

When the Association was reorganized in 1944, of approximately 3,000 total members, more than 2,000 were Life Members.

In order to accomplish the constructive objectives contemplated by the reorganization, it became apparent to the Board of Directors that the Association could not function properly on the basis of its then prospective income.

Accordingly, on 15 September 1945, an amendment to the by-laws cancelled Life Memberships to those officers joining the Association on or after that date. That amendment, however, did not disturb the status of those who were then Life Members, and further saved the rights of those who had become Associate Members prior to its effective date, so that upon the completion of the payment of a total of $30 all such Associate Members could become Life Members.

Coincidentally with the adoption of the above mentioned amendment and, in order to place the Association on a more sound and solvent basis, Life Members were asked to consider voluntarily placing themselves on a dues paying status. This request resulted in a fairly substantial favorable response.

Up until the end of December 1947, 641 of our total of more than 2,000 Life Members had volunteered to pay dues. Shortly after 1 January 1948, a letter was written to the remaining Life Members explaining the situation and asking them to join with the others in this assistance, if they felt able to do so. On 29 March 1948, another letter was written explaining to those undecided on the question of volunteering to assist, that the rights of a Life Member would in no sense be sacrificed and anyone who so volunteered might elect to resume his status as a Life Member without further payment of dues.

We are pleased to announce that in response to these letters, more than 400 Life Members added their names to the list of those who feel able and desire to support the activities of the Association by the voluntary payment of dues. As of 31 March 1948, of the 1,948 total Life Members, 1,065 (or approximately 55%) are now aiding the Association materially.

The Board of Directors and officers, on behalf of the entire membership, express deep thanks and appreciation to our Life Members for their great contribution to the welfare of the Association. With the aid of their helpful assistance, the Association cannot help but continue its forward progress in furthering the interests of all retired officers and their dependents.

LEGISLATIVE REPORT (Continued from Page 2)

measures, the enactment of which are necessary to do justice to individuals who have been, in some cases, receiving less for more service than others. Some of these result from certain inequities which have inadvertently come about, principally by virtue of the fact that the affairs of each of the services were, heretofore, considered by different committees of Congress.

Notwithstanding all this, certain recognitions and successes have been achieved. Other desired achievements have not been realized. With encouragement from the former, and not deterred by the latter, we look to the future with renewed hope and determination. By unceasing vigorous action, we will attempt, through proper presentation of the merits in every case, to gain recognition for those things which should be done. Among these are—readjustment of retired pay commensurate with present-day economic standards; and inclusion of widows and minor survivors of retired personnel in any participating retirement plan which may be proposed by the Department of Defense. The latter is the plan reported on in this and former editions of the Bulletin, to continue payment of an officer's retired pay, upon death, to his widow and minor survivors.

As elsewhere stated, the questions of pay and retirement are under active study by the Hook Commission appointed by Secretary of Defense Forrestal. In consequence of this study, specific proposals in the premises will be submitted to the 81st Congress.

We will keep fully informed as to these and other future legislative developments. Reports thereon will be made through the Bulletin to our membership from time to time, as they clear the various stages.

## REPORT ON SPECIFIC ITEMS OF LEGISLATION

RETIREMENT OF ARMY AND AIR FORCE PERSONNEL IN HIGHEST WARTIME RANK AND ESTABLISHMENT OF CAREER RETIREMENT SYSTEM FOR RESERVE COMPONENTS (H.R. 2744). This measure contains three titles; Title I to provide for the elimination of Army and Air Force officers and provision for reconsideration of the cases of officers who were removed under the provisions of Public Law 190, 78th Congress; Title II which provides opportunity for officers and enlisted men of the Army and Air Force to retirement in the highest rank in which they served satisfactorily during World War II; and Title III which proposes for the first time a career retirement system for the Reserve components of the military services.

On 8 June 1948, H.R. 2744 was reported favorably to the Senate (S. Rep. 1543) with certain amendments which relate principally to Title III. It was passed by the Senate on 10 June 1948. The House accepted the Senate amendments on 14 June 1948. Thus, this much needed legislation was finally passed by the Congress and is now (21 June) pending before the President for his approval, which is expected.

Our Association has consistently favored the enactment of this legislation and has made appropriate recommendations, both to the Department of the Army and to the Congress, with respect to certain of its provisions which affect retired officers of the Army and Air Force. Testimony was given before the House Committee on Armed Services when H.R. 2744 was there under consideration. A statement was made to the Senate Committee on Armed Services on 26 May 1948, in which we commented on all three titles.

In that statement, with reference to Title I, we strongly recommended that all officers who have been retired under the provisions of Public Law 190, 78th Congress, be accorded a review of their cases, including those who may have voluntarily retired, rather than to follow the proceedings for involuntary retirement to final conclusion. This recommendation was based upon the conclusion that those retirements were not, in fact, voluntary in nature, but were as a direct result of the proceedings which had been instituted against those officers during the war at a time when no one would have sought retirement—since the need for service to the country was so great.

With reference to Title II, the Association, of course, vigorously recommended its enactment, so as to put personnel of the Army and Air Force on parity with personnel of the Navy, Marine Corps and Coast Guard; those of the latter three services being entitled to retirement in their highest rank under the provisions of Public Law 305, 79th Congress.

The statement of our Association favoring the provisions for retirement in the highest rank held in World War II strongly pointed out that, by way of comparison, a much smaller number of officers and men who served in World War I have not been extended similar opportunities to retire in the highest rank in which they served, even though the character of, and necessity for, their services was of equal importance to the safety of the country as was service in World War II. Consequently, we strongly recommended that the benefits proposed in H.R. 2744 in this respect should be considered in appropriate legislation for the comparatively few who performed military service in World War I.

Lastly, in reference as to Title III, our Association definitely approved the establishment of a career retirement system for the Reserve components of the services. It indicated its conclusion to rest upon the necessity for the establishment of a much needed incentive to those citizens who devote themselves to military service in the Reserve components over their lifetimes at great sacrifice to themselves. Collectively, this group constitutes the nucleus around which must develop a well organized military force, so vital to the defense of the country during wartime. This measure provides a modest retirement pay during old-age for those who now, and in the future will, devote themselves to the Reserve components. It is only just and fitting that this benefit be provided. In the long run, it may largely reduce or even obviate the necessity for Universal Military Training.

The provisions of this legislation relating to retirement in the highest rank, beneficial to those retired prior to its enactment, parallel similar provisions contained in Public Law 305, 79th Congress, applicable to retired personnel of the Navy, Marine Corps and Coast Guard. It will be recalled that, when S. 1405 (which became Public Law 305, 79th Congress) was before the Senate Naval Affairs Committee, a representative of our Association appeared and presented to the Committee the proposal that the provisions of the bill then under consideration confer equal benefits upon retired officers for retirement in the highest rank in which they served satisfactorily and, thus, include within its provisions those who had been retired prior to its enactment. It is generally conceded that, had that testimony not been given to the Committee, the benefits which have been extended to retired officers might not now be enjoyed by them.

CREDIT FOR SERVICE AS CADET, MIDSHIPMAN AND AVIATION CADET (S. 657). All our members who saw service either as cadets at the Military Academy or the Coast Guard Academy, as midshipmen at the Naval Academy, or as aviation cadets, who heretofore have not been authorized to credit such service for pay and longevity purposes while on active duty and during retirement, have had their attention focused hopefully during the present session of Congress upon Senator Gurney's bill, S. 657.

This measure has repeatedly been reported upon in previous editions of our Bulletin and we have consistently recommended its enactment at every opportunity, both within the executive and legislative branches of the Government.

No doubt, all those affected by its provisions are aware that this bill was favorably reported by the Senate Committee on Armed Services (S. Rep. 1154), unanimously passed by the

Senate, unanimously reported favorably by the House Committee on Armed Services (H. Rep. 1908) on 11 May 1948, and placed upon the House Consent Calendar.

Although Representative Halleck, Majority Leader, informed the House on 17 June of the importance of this bill, lack of time prevented its consideration by the House during the closing hours of the session. Needless to say, we convey this information with a feeling of no little disappointment and regret. Conversely, however, gratification is derived from the fact that, should the national exigencies require a reconvening of the 80th Congress, S. 657 continues status on the House Consent Calendar and, consequently, maintains excellent strategic position. We are convinced that, because of its importance and deserving qualities, which are fully recognized, its passage either in the reconvened 80th Congress, or in the 81st Congress, is assured.

Our Association prepared and presented to both the Senate Committee and House Committee on Armed Services, an elaborate brief on the status of cadets, midshipmen and aviation cadets and the manner in which their service has been regarded legislatively, administratively and judically throughout the history of the Republic. That statement pointed out: (a) Service as a cadet, midshipman or aviation cadet is full-time military service and those who render such service are now, and always have been, recognized by legislation, and administrative and judicial determination as constituent parts of the military services; (b) That those who served, or were serving, as cadets or midshipmen prior to 1913 are now entitled to credit the time of such service for pay, longevity and retirement purposes under existing law; (c) The Army Appropriation Act of August 24, 1912 and the Naval Appropriation Act of March 4, 1913 disallowed credit for service as a cadet and midshipman to those whose service as such commenced subsequent to 1912. This action of Congress, in the light of present day concepts and the subsequent action by Congress in crediting other service for pay, longevity and retirement purposes to others, has resulted in a discrimination against those who may not now credit their service as a cadet, midshipman or aviation cadet; and (d) That, on the basis of comparison with other full-time active military service and, even more important, in comparison with inactive service in the Reserve components, credit for which the Congress has seen fit to extend by law, credit for service as a cadet midshipman and aviation cadet for pay, longevity and retirement purposes should be authorized by law.

The same conclusions and reasoning were contained in H. Rep. 1908, which presented the merits of this measure squarely to the House of Representatives. Significant among the paragraphs of that report was the following: "The proposed legislation will eliminate an unjust discrimination now in existence with respect to persons who served as cadets, midshipmen, or aviation cadets. Under existing law, every other type of active or inactive military and naval service is credited for longevity pay purposes".

CREDIT FOR SERVICE OF FORMER MEMBERS OF THE LIGHTHOUSE SERVICE (H.R. 239). This bill, introduced by Representative Hale of Maine on 23 April 1947, was passed by the House on 13 May 1947, and was referred to the Senate Committee on Interstate and Foreign Commerce.

The Association takes pleasure in announcing that this bill was reported favorably to the Senate from Senator Brewster's Sub-committee and was passed by the Senate on 12 June 1948.

This measure proposes the inclusion of all service in the Lighthouse Service of those who, after such service, became military members of the Coast Guard. It is understood that the Bureau of the Budget does not favor its enactment and, consequently, whether it will be approved by the President is an open question.

House Report No. 294 on this bill, stated among other things, as follows: "The Committee on Merchant Marine and Fisheries has been informed by the Treasury Department that the Bureau of the Budget has stated that enactment of this bill would not be in accord with the program of the President. Despite the cost which would accrue to the Government as a result of the passage of this legislation, the committee nevertheless feels that its enactment is advisable in order to correct existing inequities in pay scales. Despite the desire for economy and reduction of Government expenditures, members of the committee are of the opinion that the amount here involved is not of such magnitude as to require serious budgetary problems. After balancing the costs involved against the desirability of removing inequities in existing pay scales, your committee is of the opinion that the later consideration carries the greater weight. Accordingly, the committee urges enactment of this bill".

Our Association has consistently recommended the enactment of this legislation on the basis of the following conclusions: Had those who would be benefitted by this proposed legislation served during their entire careers in the Coast Guard, their service would be now counted. That is the situation with reference to those who have performed lighthouse duty with the Coast Guard since the consolidation. Therefore it seems only simple justice that prior service be credited as proposed in H.R. 239.

Only one objection has been heard to the enactment of H.R. 239, namely, that the original amalgamation permitted an election by the individuals concerned as to whether they were to be considered as part of the Coast Guard or continued in their former civil status until retirement. That appears to be fallacious for two reasons: (1) The natural tendency of those who formerly served in the Lighthouse Service was to desire to become in fact completely a part of the Coast Guard after absorption and that was the actual experience; and (2) The type of service performed remained the same and had it been completed while in the former Lighthouse Service, or had it been wholly performed under the Coast Guard, their service to the Government would have counted in their case.

In view of its strong merit, it is hoped that the President will approve this measure when it reaches him for consideration.

DUAL COMPENSATION—PREVENTION OF RETROACTIVE CHECKAGE OF RETIRED PAY (H.R. 5844). Our membership is well aware of the interest of our Association in a modification or removal of the present restriction against the employment of retired officers in civilian positions under the Federal Government. Several bills were introduced in the present Congress to accomplish this, but none appeared to have dealt sufficiently comprehensively with this subject. Small measure of success in alleviating this situation can be expected, unless the military departments of the Government make appropriate recommendations to the Congress to effect the needed changes. To do this, of course, approval of the Bureau of the Budget must be first obtained and, in view of the impact upon the legitimate interests of civilian employees of the Government, the recommendations of the Civil Service Commission would, naturally, carry great weight. All who are interested in the outcome of this important matter will be mindful of the elements which will affect final determination.

This matter is receiving active consideration in the responsible agencies of the Government. As early as 14 March 1947, Admiral Sellers, our President at that time, recommended that effective action be taken to clarify the present situation with respect to dual employment. On 1 May 1947, Secretary of the Navy (now Secretary of Defense) Forrestal informed Admiral Sellers by letter that he recognized the need for clarification of this subject, and that he had instructed the Chief, Office of Industrial Relations to confer with officials of the Civil Service Commission with the request that consideration be expedited in order that the Congress might consider certain specific recommendations of the Navy Department regarding the problem.

Although no specific recommendations have been made to Congress, it is confidently expected that appropriate action on the subject will be taken during the next Congress.

In order to remove retroactive checkages of retired pay in the cases of enlisted men and warrant officers who were appointed or advanced to commissioned rank or grade under Public Law 305, 79th Congress, in cases where they were employed in civilian capacities by the Federal Government, H.R. 5344 was introduced, passed by the House of Representatives, and favorably reported to the Senate by the Senate Committee on Armed Services. Not only will retroactive checkages be removed by the enactment of this legislation, but the legislation includes provision under which the continued employment in their civil capacities by individuals affected may be continued by waiver of their commissioned status and resumption of their enlisted or warrant status, so that the Government may continue employing them in civil capacities.

H.R. 5344 was passed by the Senate on 10 June 1948 and was signed into law by the President on 19 June 1948.

PROSECUTION OF CLAIMS AGAINST THE UNITED STATES BY RETIRED OFFICERS (S. 156). Previous attention has been called to S. 156, introduced by Senator Holland on 10 January 1947. This measure has been pending before a Sub-committee of the Committee on the Judiciary, of which Senator Donnell is Chairman, since its introduction. Hearings were held by the Sub-committee on 21 April 1948, at which time Senator Holland, representatives of the Army and Navy, and other witnesses, including a representative of our Association, appeared and gave testimony on the merits of this proposal. There was universal support for its enactment, including a clear demonstration concerning which there was no difference of opinion, that the present broad prohibition against retired officers acting as attorneys on behalf of others for the prosecution of claims against the Government is unnecessary and denies them basic rights enjoyed by other citizens.

Despite its unquestioned merit, the bill was not reported by Senator Donnell's sub-committee and must be reintroduced in the next session of the Congress. That will be done when favorable action may be expected.

CREDIT FOR SERVICE IN WORLD WAR I (H.R. 1035 AND S. 301). Senator McFarland introduced S. 301 and Representative Bradley H.R. 1035 to permit those who were retired prior to 1 June 1942 to use 75% as a multiple for the computation of their retired pay. These bills have long been pending in the Armed Service Committees of the Senate and House, respectively. No action has been taken in the Senate. Hearings were held before the Sub-committee on Pay and Administration of the House Committee on Armed Services, of which Representative Blackney of Michigan is Chairman. At that time, the merits of Representative Bradley's bill were fully understood and Representative Bradley appeared personally to explain to the Committee the necessity for favorable action. As previously outlined, this legislation merely proposes to eliminate a discrimination against a few officers, principally in the Navy, who, having served in WW I, are not now authorized to use 75% as a multiple for the computation of their retired pay. All officers retired subsequent to 1 June 1942 have been extended that privilege. Almost all officers of the Army who were retired prior to 1 June 1942 have heretofore likewise been extended that opportunity under various laws.

It seems clear that this legislation would long since have been enacted had not differences arisen between the Departments of the Army and Navy regarding the scope of application of this proposal when enacted.

Quite recently these differences were eliminated, and Chairman Blackney of the House Committee was so informed by the Navy Department. It was then found, in view of the great number of important matters under consideration by the House Committee on Armed Services that, unfortunate as it may be, no favorable action on this proposal can be expected in the short time remaining in the present session of Congress.

The Association has been informed by Representative Bradley that he intends to reintroduce his bill early in the next Congress.

ADVANCEMENT OF CERTAIN LIEUTENANTS ON THE RETIRED LIST OF THE NAVY (H.R. 4492). This bill and its companion S. 1797 proposed that, "lieutenants who served in the Navy or Naval Reserve force prior to November 12, 1918, including service as a midshipman at the United States Naval Academy, who shall have completed not less than twenty-one years of service, and who subsequent to June 23, 1938, have been or shall hereafter be retired under any provision of law, shall be advanced to the grade of lieutenant commander on the retired list effective from the date of retirement with the retired pay of that grade".

A hearing was held on S. 1797 before a Sub-committee of the Senate Committee on Armed Services, where it developed that this proposal would confer benefit upon a single individual. Consequently, its phraseology was changed to authorize the promotion of John T. McDermott to the rank of lieutenant commander. The bill was reported favorably to the Senate on 28 May 1948, and passed the Senate on 1 June 1948, on which date it was referred to the House Committee on Armed Services. It was, however, received too late for consideration before the adjournment of Congress. It will no doubt be reintroduced and enacted early in the 81st Congress.

PROPOSED TAX REVISION AFFECTING RETIRED PAY. As a result of the furore over the exclusion of pay of military personnel retired for physical disability from Federal income tax, Sec. 106 of the pending Revenue Revision Act of 1948 (H.R. 6712), which was favorably reported to the House from the Committee on Ways and Means on 26 May 1948, proposes that the presently allowable exclusions be reduced by the amount of any earned income received in the same taxable year, subject to the limitation that the amount of income excluded shall never be reduced below $1,200 a year.

It will likewise be of interest to retired officers to note that H. Rep. 2087, in commenting upon Sec. 107 of the bill which extends until 1 January 1950 the $1,500 military tax exclusion for those on active duty, states: *"This action will give the armed services additional time to complete their study relating to pay scales of the armed forces"*. This serves to indicate a consciousness on the part of the House Committee on Ways and Means that pay increases of military personnel are necessary.

While the measure will probably pass the House, its enactment during the present session of Congress is doubtful.

ELIMINATION OF TERMINAL LEAVE INEQUITIES (H.R. 3252 AND S. 1199). This measure was given careful consideration by the House Committee on Armed Services. It was decided to take no action. It is understood that the Committee considered the proposed legislation unwarranted, since it would benefit officers who were retained on active duty beyond the normal dates of their retirement and had thus been benefitted by receiving full pay and allowances during such periods of active duty and because the enactment of this proposed legislation would open the door to additional claims for further extensions in terminal leave benefits.

INCORPORATION (Continued from Page 3)

"association") and by such name shall be known and have perpetual succession of the powers, limitations, and restrictions herein contained.

Sec. 2. That a majority of the persons above-named, constituting the board of directors of the association, and other persons from among the membership of the association met in national convention in Washington, District of Columbia, on February 14, 1948, and then and there amended the bylaws of the association, as amended by the board of directors on September 26, 1947, and thereafter, as required by said bylaws, the board of directors duly elected national officers for said association.

Sec. 3. That the purpose of the association shall be as follows:
(1) To inculcate and stimulate love of our country and the flag; and to defend the honor, integrity, and supremacy of our National Government and the Constitution of the United States;
(2) To foster fraternal relations between all branches of the various services from which the members of the association are drawn;
(3) To aid the retired personnel of the various services from which the members of the association are drawn and their widows and survivors in every proper and legitimate manner;
(4) To present their rights and interests when service matters are under consideration.

Sec. 4. Men and women who are commissioned officers, warrant officers, and nurses of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, and the Public Health Service, and the reserve components of said services, shall be eligible to membership in the association in accordance with the terms and conditions as provided from time to time in its bylaws.

Sec. 5. No part of the income or assets of the association shall inure to any of its members, directors, or officers, or be distributable thereto, except as salaries or other compensation paid for services rendered to the association by any of its members, directors, or officers.

Sec. 6. No part of the activities of the association shall consist of carrying on political or subversive propaganda.

Sec. 7. Neither the association nor its officers and directors as such shall contribute to or otherwise support or assist any political party or candidate for elective public office.

Sec. 8. The name of the association shall be Retired Officers Association.

Sec. 9. The association shall have perpetual existence.

Sec. 10. The number of directors constituting the first board of directors shall be twenty-eight and the names and addresses of the directors presently serving are as set forth in section 1 hereof. The board of directors shall be elected by the members entitled to vote, the number of directors, their apportionment, and the filling of their unexpired terms shall be as provided by the bylaws.

Sec. 11. The officers of the association shall consist of a president, a first vice president, a second vice president, a third vice president, and an executive vice president and treasurer, and such other officers as may be created in accordance with the requirements of the bylaws from time to time; all such officers to be elected by the board of directors.

Sec. 12. The national headquarters office and principal place of business of said association shall be located in Washington, District of Columbia, but the activities of said association, as set out herein, shall not be confined to the District of Columbia, but may be conducted throughout the various States, Territories, and possessions of the United States.

Sec. 13. Life members, associate members, and members of the association shall each have the right to one vote in the management of the association and the voting privileges of other classes of members shall be as provided from time to time in the bylaws.

Sec. 14. In the event of a final dissolution or liquidation of the association, and after the discharge or satisfactory provisions for the discharge of all its liabilities, the remaining assets of the said association shall be transferred to the Veterans' Administration to be applied to the care and comfort of disabled veterans.

Sec. 15. The association hereby incorporated shall have power to—
(1) have perpetual succession by its corporate name;
(2) sue and be sued, complain and defend in any court of competent jurisdiction;
(3) adopt, use, and alter a corporate seal;
(4) choose such officers, managers, and agents as the business of the association may require;
(5) ordain and establish bylaws and regulations, not inconsistent with the law of the United States of America or any State thereof, for the management of its property and the regulations of its affairs;
(6) contract and be contracted with;
(7) take and hold by lease, gift, purchase, grant, devise, or bequest any property, real or personal, necessary for attaining the objects and carrying into effect the purposes of the association, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of real and personal property which may be held by, or (B) otherwise limiting or controlling the ownership of real and personal property by, a corporation operating in such State;
(8) transfer and convey real or personal property;
(9) borrow money for the purposes of the association and issue bonds therefor, and secure same by mortgage subject in every case to all applicable provisions of Federal or State law;
(10) establish State, Territorial, and regional organizations;
(11) provide financial aid through scholarships from special funds or from the general funds of the association for children of deceased members, or children of other military personnel;
(12) encourage excellence in military education by material or cash awards from special funds or from the general funds of the association to cadets or midshipmen of the military academies for high attainment in professional studies;
(13) publish magazines, newspapers, or other publications to disseminate information upon subjects touching the lives of retired officers and their dependents, consistent with the purposes of the association; and
(14) do any and all other lawful acts and things which may be necessary properly to carry into effect the purposes of the association.

Sec. 16. The association shall have in the District of Columbia at all times a designated agent authorized to accept service of process upon it; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the association.

Sec. 17. The association shall keep correct and complete books and records of accounts and shall also keep minutes of the proceedings of its members, board of directors, and committees having any of the authority of the board of directors; and shall keep at its registered office or principal office a record giving the names and addresses of its members entitled to vote; and all books and records of the association may be inspected by any member or his agent or attorney, for any proper purpose at any reasonable time.

Sec. 18. The association shall be liable for the acts of its officers and agents when acting within the scope of their authority.

Sec. 19. The association shall not have or issue shares of stock, nor declare or pay dividends.

Sec. 20. No loans shall be made by the association to its officers or directors, or any of them, and any director who votes for or assents to the making of a loan or advance to an officer or director of the association, and any officer or officers participating in the making of any such loan or advance, shall be jointly and severally liable to the association for the amount of such loan until the repayment thereof.

Sec. 21. The association may acquire any or all of the assets of the existing association known as Retired Officers Association, Incorporated, upon discharging or satisfactorily providing for the payment and discharge of all its liabilities.

Sec. 22. As a condition precedent to the exercise of any power or privilege the association shall serve notice to the secretary of state in every such State or Territory in which such power or privilege shall be exercised of the name and address of an authorized agent in such State upon whom legal process or demands against the association may be served.

Sec. 23. Such provisions, privileges, and prerogatives as have been granted heretofore to other national veterans' organizations by virtue of their being incorporated by Congress are hereby granted and accrue to the association.

Sec. 24. The right to repeal, alter, or amend this Act at any time is hereby expressly reserved.

The draft of these bills conforms to the tentative standards which have been adopted by the Senate Committee on the Judiciary in the form of a bill, S. 503—80th Congress, now being considered by that Committee for the purpose of establishing standards which must be met by all veterans' organizations, if they are to receive Congressional charters. Consequently, the contents of the bills, although considered fully acceptable and applicable to our Association, resulted from a desire to conform precisely to the tentatively established standards.

This proposal was presented to Secretary of Defense Forrestal and to Admiral Farley, Commandant of the Coast Guard, and their favorable comments were received before it was submitted to the Congress. We also have the support of Major General Gray, Administrator of Veterans Affairs, for our federal incorporation.

The letter of Secretary Forrestal is reproduced below.

Due to the fact that the bills were introduced too late in the 80th Congress for enactment, appropriate bills seeking federal incorporation of our Association will again be introduced in the next Congress, which convenes in January 1949. In the meantime, comments, suggestions and recommendations concerning this measure are welcomed.

THE SECRETARY OF DEFENSE
WASHINGTON

5 April 1948

Dear Admiral Hamlet:

Further reference is made to your letter of March 2, 1948, and my reply of March 15.

We have finished our study of the Retired Officers Association's proposed bill to incorporate that organization by Federal statute. Personally, I feel that this legislation is sound in principle and that your Association should be incorporated by Congressional Act. I do feel, however, that the decision as to whether the Retired Officers Association, or any other group of retired or ex-service personnel, should be given such a charter is primarily one of national legislative policy to be passed on by the Congress.

I note that, among other things, this legislation would make the Retired Officers Association eligible for approval by the Administrator of Veterans Affairs as an organization representing retired and former members of the service in the handling of claims before the Veterans Administration. This provision should be of great value to the retired personnel which your Association represents. Retired officers, by virtue of their long experience in, and understanding of the problems of, the services should be able to contribute much to the effective and fair administration of the laws affecting retired and discharged service personnel.

I do not believe it is necessary for me to comment at length on the terms of the bill. In general, its content appears to be adequate to achieve the Association's purpose.

If I can be of further assistance do not hesitate to call on me.

Sincerely yours,

James Forrestal

James Forrestal

## SOCIAL SECURITY STUDY

Information was contained on page 6 of the 4th Quarter Bulletin—1947, concerning the appointment by the Senate Committee on Finance of an Advisory Council on Social Security to make recommendations for improving the present methods of protection through Social Security.

The Advisory Council on Social Security of which the Hon. Edward R. Stettinius, Jr., was Chairman, has submitted a most enlightening report of its study to the Senate Committee on Finance. It is the view of that Council that opportunity for the individual to secure protection for himself and his family against the economic hazards of old age and death is essential to the sustained welfare, freedom and dignity of the American citizen. Proceeding on that basis, the Council has compiled a comprehensive coverage for all those not otherwise protected.

Included in its recommendations, the Council expresses the belief that old-age and survivor insurance should be extended to members of the armed forces, including those stationed outside the United States. In clarification of this point, the report continues that although the career serviceman is eligible for retirement benefits after 20 years of service, the person who spends a shorter period in the armed forces is seriously handicapped by the fact that his military or naval service is not covered under old-age and survivors insurance. At his death his survivors may not be eligible for any benefits, since protection of peacetime servicemen under the programs for veterans ceases immediately on discharge from service; while if he lives to retirement age, he may fail to be eligible for retirement benefits under either old-age and survivors insurance or one of the special retirement plans. Extension of old-age and survivors insurance to the armed forces will give continuous basic protection both to the career serviceman and to those with shorter periods of military or naval service. Such retirement and survivorship protection is considered essential to maintaining a strong and efficient military establishment. It is proposed that the Federal Government, as the employer, should pay the equivalent of the employer tax under the Federal Insurance Contributions Act, and the servicemen themselves should bear the cost of the employee contribution.

Time does not permit of action by the Senate Committee on Finance on the above report during the remaining days of the present Congress. However, it will be taken up in the 81st Congress, sometime after it convenes next January.

Members have been asked to encourage their friends who are eligible to join the Association. That has borne fruit, since many of our new members have joined by using the application blank which accompanied that request.

Another means instrumental in attracting new members has been our Bulletin. Members are urged to inform their friends that a limited supply of this Bulletin is available, and will be mailed to retired commissioned and warrant officers—male and female—regular and reserve—who request copies from National Headquarters, 1600 Twentieth Street, N.W., Washington 9, D. C.

## DISABILITY STUDY (Continued from Page 3)

age, disease and infirmities. Obviously, those officers had to be replaced by younger and more vigorous officers. The solution to this problem was found in that first retirement law prescribing that, when any Army officer had become incapable of performing the duties of his office, he was to be either retired from active duty or wholly retired by the President. By reenactment in 1882, adding the manner of retirement, that law is still the law which authorizes the retirement of officers of the Regular Army.

In 1862, the report continues, the Congress enacted another act wherein provision was made for pensions for volunteers disabled in service. Based upon that law, the Committee gains the inference that the original intent of Congress was to treat disability compensation of volunteers as being different from retirement pay of regulars.

Physical disability retirements of Regular Navy officers, first provided by the Act of August 3, 1861, have remained in force, practically without change. That act provided that whenever in the judgment of the President a Navy officer is incapacitated to perform the duties of his office, the President in his discretion may direct the Secretary of the Navy to refer the case to a retiring board.

Similar provisions for physical disability retirement of non-Regular officers of the Navy were first provided by the Acts of May 22, 1917 and July 1, 1918.

Section III of the report—FINDINGS—sets forth the reasoning of the Committee with respect to those allegations upon which its judgments were founded.

Concisely, those findings can be stated as follows:

(1) That because existing law provides retirement of Navy and Marine Corps officers in the highest temporary grade; a benefit now denied Army officers; an inequity exists between the officer retirement systems of the Army and Navy.

(2) That no evidence of fraudulent retirement is indicated.

(3) That tax exemption benefits of present physical disability retirement procedures have, in some measure, motivated a generosity among the Services in granting disability retirements.

(4) That, notwithstanding the fact that physical disability retirement of Regular Army officers authorizes retirement in the highest temporary grade, in addition to the total tax exemption of retirement pay; whereas other types of retirement might result in the officer being reduced to a lower permanent grade and the pay would not be tax-exempt; there has been no indication on the part of officers of the Regular Army to obtain disability retirement as a result of any unlawful and calculated effort.

(5) That no real basis of justification exists to support the allegation that discrimination has been practiced by officers of the Regular Establishment against non-Regular officers, relative to retirement benefits.

(6) That the question of the propriety of physical retirement in a terminal leave promotion grade has resolved itself from future consideration, inasmuch as terminal leave promotions have been discontinued.

Section IV of the report—RECOMMENDATIONS—contains proposals, in substance, as follows:

(1) That the Navy adopt administrative procedures similar to those established by the Army for the review of cases where officers were denied retirement in spite of disability.

(2) That, if the Surgeon General of the Army and Air Force shall twice disapprove the medical findings of a retiring board on the same case, the case shall then be certified to the Secretary of the Army or Air, as the case may be, whose decision on the matter shall be final. Since the Surgeon General of the Navy is already limited to one endorsement on a retiring board case, this recommendation is not applicable to current Navy procedure.

(3) That hospital benefits, post exchange and commissary privileges should be limited to career personnel. That all non-Regular Naval personnel who shall qualify for physical retirement be certified to the Veterans Administration for the administration of the benefits which are now or may hereafter be provided by law or regulation.

(4) That the present tax exemption of disability retirement pay of Regular and non-Regular officers of the Military Establishment, with the possible exception of those officers who have become disabled as a result of wounds suffered in combat with an enemy of the United States or as a result of the explosion of an instrumentality of war, be removed.

(5) That—

(a) All Regular and non-Regular military personnel who were physically retired or granted disability retirement from 1 January 1944 to 1 January 1948, be examined by the respective services of which they were a member.

(b) That all persons whose disability is obviously permanent in nature, or who have suffered their disability as a result of combat with an enemy of the United States or through the explosion of an instrumentality of war, be exempted from such re-examination.

(c) That all retired Regular officers who shall have recovered from their disability, as determined by a re-examination shall be returned to the active list in their last active duty grade.

(d) That the retirement certification of all non-Regular officers who shall have recovered from their disability, as determined by a re-examination, be withdrawn.

(e) That all examinations contemplated under this recommendation be conducted by a panel group which shall include equal members of both Regular and non-Regular medical personnel.

(6) That consideration be given to the establishment of a career system of retirement which would—

(a) Establish, by statute, the numbers of years necessary to constitute a military career.

(b) Equalize the rights to physical disability retirement as between Army and Navy enlisted personnel.

(c) Authorize longevity credit to non-Regular officers and enlisted men for inactive duty service.

(d) Authorize retirement, physical or otherwise, for all officers and enlisted men whose length of service equalled or exceeded such statutory requirement.

(e) Direct that all other officers and enlisted men, Regulars and non-Regulars alike, who become incapacitated for general military service before completing sufficient service to meet the statutory requirements for retirement, be certified to the Veterans Administration and compensated for percentage-of-disability, on such basis as the Congress may determine.

In conclusion of its report the Committee comments that any proper system of military retirement must accomplish justice and equity for both the beneficiaries of the system and those who must underwrite its costs.

This Association is therefore pleased to state its belief that the Senate and House Committees on Armed Services are both understanding of and sympathetic with the personal problems of retired personnel. It is our opinion that any future changes as may be made in existing retirement laws will reflect the real desire of the Congress to deal fairly with those whose retirements resulted from causes forming the basis for legitimate retirement.

As we predicted in our Extra (May 1948) Edition of the Bulletin, the Congress has taken no action on this subject. The Elston Sub-committee which conducted the study was not charged with the duty of preparing any proposed legislation. That is a matter under the jurisdiction of the Sub-committee on Retirement of the House Committee on Armed Services of which Representative Leroy Johnson of California, is Chairman. It is indicated that that Committee will give the matter of retirement extensive consideration in the 81st Congress.

In the meantime, official recommendations from the military departments of the government to the Congress on a proposed new retirement law, applicable to all branches of the military services may be expected.

In view of the importance of this subject and the intense study and consideration which it has received and will continue to receive in the ensuing year, it naturally follows that a great deal of work confronts our Association, so that the interests of retired officers shall be given the fullest consideration. Our staff welcomes comments and suggestions from our membership to assist in the preparation which is to take place in the months which lie ahead.

## HOSPITALIZATION, MEDICAL AND DENTAL TREATMENT

In view of the many requests from our members for information on this subject, the following is a general statement of the rights of retired personnel to hospitalization, medical and dental treatment:

I—ARMY FACILITIES

(a) *Hospitalization*—Retired regular Army personnel (including Philippine Scouts) of all classifications on inactive status may be admitted to Army hospitals if, in the judgment of the commanding officer, the applicant will be benefited by hospitalization for a reasonable time. Those requiring merely domiciliary care by reason of age or chronic invalidism will not be admitted. Beneficiaries of the Veterans Administration may be admitted in limited numbers in certain designated Army hospitals upon request of the proper representatives of the Veterans Administration. These in general would include retired officers of the reserve components and officers on the Emergency Officers Retired List.

Retired personnel of the regular Navy or Marine Corps may be admitted to Army hospitals on authorization of the proper representatives of the Navy Department, or on their own request if their admission be deemed necessary by the commanding officer of the hospital concerned and if beds are available (*Army Regs.* 40-590).

(b) *Medical Attendance*—Persons who are on the retired list of the regular Army and who report in person at any Army dispensary or hospital, provided sufficient accommodations are available, will be given treatment. Medical officers and contract surgeons will not be required to leave their stations to attend those on the retired list (*Army Regs.* 40-505).

(c) *Dental Attendance*—The same provisions are applicable for dental attendance as apply to medical attendance. (*Army Regs.* 40-510).

(d) *Family of Retired Officer*—Medical care is not authorized for the family of a retired officer. Par. 2c(3), AR 40-505, authorizes medical care whenever practicable for the "wife, dependent children, and servants of officers, Army nurses, Women's Army Corps * * *". "Officers" in this case do not include "retired officers" who are treated separately in Par. 2b(2).

II—NAVAL FACILITIES

(a) *Hospitalization*—A retired officer, nurse, or enlisted person of the regular Navy or Marine Corps not on active duty may be admitted to any naval hospital upon the application of the individual and presentation of suitable identification. A Naval Reserve or Marine Corps Reserve officer or enlisted person retired with pay may be admitted to any naval hospital upon the application of the individual and presentation of suitable identification. An enlisted member of the Fleet Reserve or Fleet Marine Corps Reserve transferred thereto after sixteen or more years of service may be hospitalized in any naval hospital upon application of the individual and presentation of suitable identification. (*Man. Navy Med. Dept.* 1945, *pars.* 4132, 4133 *and* 4134).

(b) *Medical Treatment*—The personnel mentioned in (a) above are entitled to out-patient medical treatment.

(c) *Dental Treatment*—Professional services of dental officers are available to personnel on the retired list with pay. Activities which have authorized dental prosthetic facilities may furnish, without prior approval from the Bureau of Medicine and Surgery, dental prosthetic treatment to all personnel of the Navy and Marine Corps who are retired for pay, and to other personnel authorized by current directives, when such treatment is deemed by the dental officer to be necessary for the promotion of physical fitness and is in accordance with existing regulations or instructions. However dental prosthetic treatment shall not be undertaken for retired personnel when it will unduly delay prosthetic or other dental treatment for personnel on active duty. With regard to dental treatment for dependent of naval personnel, Public Law 51, 78th Congress, Section 5 provides that dental treatment shall be administered only as an adjunct to in-patient hospital care and shall not include dental prosthesis or orthodontia. (*Man. Navy Med. Dept., paras.* 1325.1 *and* 1329.1).

(d) *Family of retired officer*—Dependents and widows of retired personnel of the regular Navy and Marine Corps not on active duty, and of retired personnel of the Naval Reserve and Marine Corps Reserve retired with pay, not on active duty, are eligible for medical care. The term "dependent" is defined as lawful wife, unmarried dependent child or children under twenty-one years of age, and the mother or father of a member of the Navy or Marine Corps, if in fact dependent on such member for their support. The term "child or children" includes a natural or adopted child or stepchild.

## III—PUBLIC HEALTH SERVICE FACILITIES

*Hospitalization, medical and dental treatment*—Retired personnel, regular and reserve, of the Coast Guard; retired commissioned officers, ship's officers and members of the crews of vessels of the Coast and Geodetic Survey, and retired regular and reserve officers of the Public Health Service are entitled to medical, surgical and dental treatment and hospitalization at medical relief stations of the first, second and third class upon presentation of satisfactory evidence of status. Dental treatment will be furnished to the extent of available facilities only at medical relief stations where full-time dental treatment shall be limited to emergency measures to relieve pain.

Dependents of the above mentioned personnel are entitled to medical advice and out-patient treatment at first, second and third class stations if suitable accomodations are available and if the condition of the dependent is such as to require hospitalization, both as determined by the Medical Officer in Charge. Hospitalization is at a per diem cost at the same rate as for the dependents of naval and Marine Corps personnel at any naval hospital. Dental treatment is furnished to dependents only to the extent available and only at relief stations where full time officers are on duty (*Exec. Order* 9703-3/12/46).

## IV—VETERANS ADMINISTRATION FACILITIES

(a) *Hospitalization*—Hospital treatment may be authorized at the expense of the Veterans Administration for retired officers and enlisted men, regular and reserve, of the Army, Navy, Air Force, Marine Corps, Coast Guard (including members of the Fleet Naval Reserve or Marine Corps Reserve on retainer pay), who had honorable service in World War I and World War II as follows:

1. Those who need hospital treatment for a service-connected disease or injury which was incurred or aggravated in line of duty during a period of active military or naval service.

2. Those who need hospital treatment for a nonservice-connected disease or injury, provided applicants are receiving Veterans Administration pension for a service-connected disability in lieu of retirement pay.

3. Those who need hospital treatment for a nonservice-connected disability, disease or defect which is susceptible of cure or decided improvement, provided applicants swears that they are unable to defray the expense of hospitalization.

4. Those who, while hospitalized in accordance with 1, 2, or 3 above, need dental treatment will be entitled to such dental services as may be authorized for other hospitalized war veterans.

If applicants are presenting a medical emergency growing out of a disease or injury incurred in a period of war, and their condition forbids travel to a facility under the direct and exclusive jurisdiction of the Veterans Administration or to any other Government Regional Office, admission to a contract civilian hospital may be authorized.

Transportation costs to and from a Veteran Administration hospital may be paid by the Veterans Administration in all cases being treated for a service-connected disability, transportation costs may be paid by the Veterans Administration, *provided* the patient swears that he is unable to defray the expense thereof. In either case, prior authority for travel must be secured from the Veterans Administration.

(b) *Out-patient medical treatment*—Out-patient medical treatment for a service-connected disability may be authorized at the expense of the Veterans Administration for retired officers and enlisted men of the regular Army, Navy, Marine Corps, Coast Guard (including members of the Fleet Naval Reserve or Marine Corps Reserve on retainer pay), who had active service in World Wars I or II, *provided* they are in receipt of Veterans Administration pension in lieu of retirement pay.

(c) *Out-patient dental treatment*—Out-patient dental treatment may be authorized at the expense of the Veterans Administration for retired officers and enlisted men of the regular Army, Navy, Marine Corps, and Coast Guard (including members of the Fleet Naval Reserve or Marine Corps Reserve on retainer pay) who had active service in World Wars I or II as indicated below, *provided* they are in receipt of Veterans Administration pension in lieu of retirement pay:

1. Those having a service-connected dental or oral disability.

2. Those having a dental condition which is nonservice connected, but which is medically determined to be aggravating a basic service-connected disorder.

Retired commissioned officers of the United States Public Health Service who were detailed for duty with the Army, Navy or Coast Guard in accordance with Executive Order No. 8988, 12-23-41, or who are entitled to full military benefits under Sec. 212, Public Law 410, 78th Congress and Executive Order No. 9575, are considered as having performed active military or naval service. These persons are eligible for medical and dental treatment at the expense of the Veterans Administration on the same basis and to the same extent as other retired persons referred to above.

Retired commissioned officers of the Coast and Geodetic Survey who were assigned during the period of World War II to duty on projects for the War Department or the Navy Department in areas outside the Continental United States or in Alaska or in coastal areas of the United States, determined by the War or Navy Department to be of immediate hazard, are considered to have performed active military or naval service; except that, commissioned officers of the Coast and Geodetic Survey who were in the Philippine Islands on December 7, 1941, are considerd as having performed active military or naval service from an including that date. These persons are also eligible for medical and dental treatment at the expense of the Veterans Administration on the same basis and to the same extent as other retired persons referred to above.

The Veterans Administration reserves the right in all cases to determine whether a disease or injury is service connected or nonservice-connected, and whether treatment therefor is needed.

Individuals desiring hospital treatment or out-patient (medical or dental) treatment should contact the nearest Veterans Administration hospital or Regional Office. Under no circumstances, except in the direst emergency, should an individual who desires hospital treatment at the expense of the Veterans Administration seek admission to a hospital not under the direct and exclusive jurisdiction of the Veterans Administration without having received prior authorization therefor. (*Ltr. to ROA from VA* 9-26-47).

Public laws which are applicable to the retired personnel referred to above are embodied in a document entitled "Laws Related to Veterans," procurable at the United States Government Printing Office, which also publishes a document entitled "Manual Explanatory of the Privileges, Rights and Benefits for Persons Who Served in the Armed Forces of the United States During World War I and World War II", chapter 5 of which provides a resume of the Federal laws covering hospital and domiciliary care, medical treatment, prosthetics, etc.

Retired personnel who contemplate hospitalization in a Veterans Administration hospital should be aware of the effect of the provisions of Public Law 662, 79th Congress, 8 August 1946. This act changes prior law relative to the reduction of pension, compensation or retirement pay for veterans, without dependents who are being furnished hospital treatment, institutional or domiciliary care by the United States or any political subdivision thereof by providing that in such cases there shall be no reduction in payments until the first day of the seventh calendar month following 8 August 1946, or the month of admission of the veteran, whichever is the later. If the treatment or care extends beyond the first day of the seventh month, the pension, compensation or retirement pay, if $30 per month or less, shall continue without reduction, but if greater than $30 per month the payments shall not exceed 50 percent of the amount otherwise payable or $30 per month, whichever is the greater. At such time as the veteran is discharged from such treatment or care upon certification by the officer in charge of the hospital, institution or home, that maximum benefits have been received, or that release is approved, he shall be paid in a lump sum such additional amount as would be equal the total sum by which his pension, compensation, or retirement pay has been reduced by virtue of the provisions of the section. In the case where treatment or care is terminated by a veteran against medical advice or as the result of disciplinary action, the amount by which any pension, compensation, or retirement pay has been reduced will be payable to him 6 months after he has so terminated such treatment or care. Should such veteran subsequently be readmitted for treatment or care the reduction will be effective the date of readmission. If the veteran continues such subsequent treatment or care until discharged, upon proper certification he shall then receive in a lump sum total amount by which his pension, compensation or retirement pay has been reduced subsequent to such readmission.

Should any member wish further and more specific information on this subject with reference to his own case do not hesitate to write the Association giving full particulars and the information will be promptly furnished.

## FINANCIAL STATEMENT AS OF 31 MAY 1948

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| Cash in Bank (Hamilton National Bank), 31 May 1948 | 5,969.63 |
| Petty Cash on Hand | 25.00 |
| Total Available Cash | 5,994.63 |
| U. S. GOVERNMENT BONDS | 14,640.00 |
| Total Available Fiscal Assets | 20,634.63 |
| Book Value of Office Equipment | 2,160.23 |
| Worth as of 31 May 1948 | 22,794.86 |

## A PLEA FOR INCREASED MEMBERSHIP

Immediately following this statement is a summary of our membership as of 31 May 1948.

While the expansion which has taken place during the past nine months is gratifying indeed, it cannot be regarded as completely satisfactory. Considerable expansion is still necessary if the Association is to maintain a staff competent to handle successfully the ever increasing volume of essential work.

Much has been done through personal solicitation of members through invitations mailed from our National Headquarters. Such procedure, however, is costly and should not be repeated too frequently. To assist in stimulating our membership drive, we have consistently urged members to encourage their friends to join.

The success of an organization such as ours must, in large measure, depend upon the efforts of its members who have confidence in the ability of the Association to fulfill their needs, to lend generous assistance in enlarging upon its memmbership rolls.

An analysis of the membership summary referred to above indicates that if each of even one-third of our members is able to persuade one who is eligible to join, our membership would be increased to a point where success, for the immediate future at least, will be definitely assured.

Each of our members is therefore earnestly requested to try to sign up at least one of his friends to become a member and it will be appreciated if this be done NOW.

Immediately upon receipt of the $5.00 necessary to become a member, each eligible applicant will be furnished a membership card, copy of the by-laws and a copy of the latest Bulletin, thus bringing to our new members a prompt realization that they are sharing in the benefits and opportunities of this growing organization.

## MEMBERSHIP BREAKDOWN AS OF 31 MAY 1948

| | |
|---|---|
| ARMY | 3,290 |
| NAVY | 4,246 |
| MARINE CORPS | 601 |
| COAST GUARD | 654 |
| COAST & GEODETIC SURVEY | 43 |
| PUBLIC HEALTH SERVICE | 33 |
| TOTAL | 8,867 |
| LIFE MEMBERS (Non-dues-paying-status) | 968 |
| LIFE MEMBERS (Dues-paying-status) | 1,103 |
| MEMBERS (Male) | 4,883 |
| MEMBERS (Female) | 223 |
| RESERVE MEMBERS (Male) | 1,315 |
| RESERVE MEMBERS (Female) | 375 |
| TOTAL | 8,867 |

To RETIRED OFFICERS ASSOCIATION,
1600 Twentieth St., N. W., Washington 9, D. C.

Date _____

Gentlemen:—

You may enroll me as a member of the Retired Officers Association. Inclosed is check for $5.00.

| | | |
|---|---|---|
| Entrance fee | $1.00 | *Fifty cents of which is for subscription to Association Bulletin.* |
| Annual dues | 4.00 | |
| | $5.00 | |

Name _____
(Please Print)

Rank and Service _____

Mailing Address _____

City _____ Zone _____ State _____

## FROM OUR MEMBERS

Capt. P.A.M., AAF(Ret)—Please allow me to express my thanks for your brilliant testimonal before the House Subcommittee regarding physical disability retirement of officers, as recorded in the Bulletin. Be assured that I will support the Association and endeavor to find new members.

From an officer on active duty—I have always been an admirer of your organization and will welcome an invitation to join at such time as I do retire.

Maj. J.W.B., FA,ORC (Hon.Res.)—The description of the Association as set forth in your circular letter dated 1 March 1948, signed by the President, Admiral H. G. Hamlet, seems to picture the type of organization to which all who are qualified should belong. I am pleased to become a member.

Col. M.C., USA(Ret)—Thanks for your recent circular addressed to life members. Years ago, as a life member, I gladly waived my exemption from annual dues, recognizing my duty and obligation to stand for my share of the going expenses of the organization. I have been paying annual dues for some years past. The dollar of today will procure only about half the goods and services that it procured only a few years back. The trend of costs seems again up. Our present dues, established some years ago were much less, and must necessarily be very inadequate to meet current expenses. I personally believe our dues should not be less than $7.50 annually to meet present values. As a contribution to the Association enclosed is my check for $7.50. Heartily appreciative of the betterment of the retired personnel secured through the active, persistent and fruitful endeavors of you gentlemen and your predecessors in Washington.

Lt.(jg) J. B. W., (SC),USN(Ret)—The activities of the Association under the leadership of Admiral D. F. Sellers and under the present leadership of Admiral H. G. Hamlet have been most heartening. Admiral Hamlet's statement before a Congressional Committee, as published in the First Quarterly Bulletin was the most enlightening, courageous and forthright it has ever been my privilege to read. He made no apologies for the just claims to consideration for those retired after long and faithful service to the flag and for those separated through disabilities incurred incident to service. This was entirely proper, and must have made a deep impression upon his hearers. With congratulations for the leadership we now have, and best wishes for the growth of an organization dedicated to the service of all who have served their country faithfully and well.

Mrs. I.S. (widow of World II veteran)—Thank you for your very kind letter of the 13th. It is a comfort to know that the Retired Officers Association is able and willing to be of assistance if needed.

Capt. J.D.H., (SC), USN, (Ret)—Your informative circular letter of recent date has been received and may I be permitted to offer my congratulations on the rejuvenation of the Association. As a life member practically since that date of my retirement and as one who gave up that privilege to become a dues paying member, I am glad to help out in the fine work you are doing for retired officers.

## TO OUR MEMBERS

Of the more than 600 whom we welcome as new members of the Association during May, the following is a cross-section: Ch.Bosn Arthur Abbey, USN(Ret), R.Adm Richard E. Byrd, USN(Ret), Brig.Gen R. F. Cox, USA(Ret), 2nd Lieut Edith P. Ford, ANC(Ret), CWO Edwin F. O'Meara, AC, USA(Ret), 1st Lieut Ray B. Roberts, USMC(Ret), Chief Warrant Officer Robert B. Tresville, USA(Ret), and ChMach Alfred VerKruysse, USCG(Ret).

Attention of all retired officers residing in the Greater New York area is invited to their eligibility for membership in the Commissioned Officers' Mess, New York Naval Shipyard. This Mess provides meals, refreshments and recreational facilities at reasonable prices to all officers in the 3rd Naval District, Monthly service charge $1.25. Address applications for membership to Mess Treasurer, Bldg 27, New York Naval Shipyard, Brooklyn, NY.

R.Adm. W. S. Parr, USN(Ret), heads newly established Parr Marketing Service, Inc., with offices 100 Barr Bldg. Washington 6, DC, offering rapid marketing of products nationally and internationally, including handling of export license applications, patent marketing and search for suppliers of products or equipment in the US not readily available to prospective buyers. The organization is staffed largely by retired officers.

It is suggested that members write the Association concerning matters they wish taken up with Departments in Washington. Belief is felt this procedure will save the expense of a trip and the disappointment in finding no immediate answer to or solution of their problems.

Members are requested not to use our self-addressed envelopes, merely to state on application blanks "I am already a member". As is apparent, such expenditure of Association funds is a needless drain upon our working capital.

Invitations are mailed to addresses furnished by Pay Officers carying retired accounts and are not necessarily those in our records. Time and a small staff does not permit a check of retired rolls against our records. This explains why a letter of invitation might be sent a member at one address when his address is otherwise shown in our records.

Be sure and advise the Association of any change in your mailing address. This insures prompt delivery of the Bulletin and immediate contact in matters of interest and importance. Please furnish the old and new address in such cases.

Many of our members have asked if we accept contributions. While we do not solicit them, they are gratefully received. Such contributions are deposited to the general fund in the same manner as are regular dues.

Regular Bulletins are issued quarterly. Should any member fail to receive his copy, write us and we shall gladly supply a copy. It may be that the one originally sent became lost in the mails.

Our slogan—EVERY MEMBER GET A MEMBER—is producing results which are most gratifying. We urge every member to assist in increasing our rolls. By doing this, we not only help others, but help ourselves in developing greater service to our members, their widows and dependents.

**RETIRED OFFICERS ASSOCIATION BULLETIN**
1600 Twentieth Street, N.W.
Washington 9, D. C.
Entered as second class matter, May 2, 1945, at the Post Office at Washington, D. C., under the Act of March 3, 1879.
RETURN POSTAGE GUARANTEED

Capt. R. A. Dawes, USN, Ret.
Cobbs Creek
Virginia